
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: April 15, 2009

SITE PLAN: **SP-07-0002**

TITLE: Camson Property – 13 Park Avenue

REQUEST: **CONSENT APPROVAL
EXTENSION OF APPROVAL OF FINAL
SITE PLAN**

ZONE: CBD (Central Business District)

Applicant/Developer: Camson Construction – Brian Cameron
Engineer: Macris, Hendricks, & Glascock – Paul Newman
Architect: Peter Cheung

STAFF LIAISON: Jacqueline Marsh, Planner

Enclosures:

Staff Comments

Exhibit 1: Location Map

Exhibit 2: Minutes of the April 18, 2007, Planning Commission Meeting

Exhibit 3: Minutes of the April 16, 2008, Planning Commission Meeting

Exhibit 4: Letter from Brian Cameron, received March 26, 2009

STAFF COMMENTS

I. BACKGROUND:

The applicant is requesting an Extension of the Final Site Plan Approval for a three-story office building and associated parking at 13 Park Avenue. The subject property is located south of Brookes Avenue and north of East Diamond Avenue in the Olde Towne District (Exhibit #1) and is zoned CBD (Central Business District).

The application received concept site plan approval on January 3, 2007 and final site plan approval on April 18, 2007 (Exhibit #2). On April 16, 2008, the applicant was granted a one-year site plan extension request by the Planning Commission (Exhibit #3).

The applicant has submitted a letter requesting an extension of the final site plan approval for SP-07-0002, in accordance with § 24-173(a).

II. SCOPE OF REVIEW:

The approved site plan has not been constructed to date. Section 24-173(a) states the following:

One or more of the uses proposed for land which is the subject of the site development plan shall be established on such land within three hundred sixty-five (365) days after the date of approval of the plan or the plan shall become void; provided, that the planning commission may extend such time upon request filed within such three hundred sixty-five (365) days and may grant further extensions upon request filed within the period of any extension; provided, that the total length of such extensions shall not exceed two (2) years.

Accordingly, the applicant is requesting an extension for the approved final site plan (Exhibit #4). The applicant may extend the site plan approval one more time.

III. CONCLUSION:

Staff recommends **TO GRANT APPROVAL OF EXTENSION OF FINAL SITE PLAN SP-07-0002, AS IT CONFORMS WITH §24-173, WITH THE PREVIOUSLY APPROVED CONDITIONS.**

SP-07-0002 13 Park Avenue



13 Park Avenue

Planning Commission
SP-07-0002
#1

6. Applicant is to adjust lot lines to match existing parcel lines; and
7. Applicant is to provide two additional fire hydrants for adequate fire safety at the time of final site plan approval.

Vote: 4-0

SP-07-0002 -- Camson Property
 13 Park Avenue
 9,000-Sq.Ft. 3-Story Office Building
 FINAL PLAN REVIEW

CBD Zone

Planner Marsh located the site and noted the Commission approved the concept plan in January 2007.

Engineer for the applicant, Paul Newman, Macris, Hendricks and Glascock, presented and discussed the plan, noting an existing structure for which a demolition permit has been issued, the proposed building adjacent to a public alley to be widened to 19 feet wide after construction of a retaining wall, and parking. Regarding the latter, he indicated that a parking waiver request of four spaces is included with this application and briefly discussed the basis for the request.

Architect for the applicant, Peter Cheung, presented the proposed elevations noting a brick structure with a residential appearance, and roofing in accordance with recommendations of the Historic Preservation Advisory Committee.

There was no testimony from the public.

Ms. Marsh voiced staff's recommendation for approval, noting the plan meets the approval criteria of the Zoning Ordinance, subject to the applicant's compliance with conditions that she listed.

Chair Bauer inquired about lighting of the alley, called for the retaining wall to be as unobtrusive as possible, with plantings if possible, and voiced no objections to the parking waiver. Commissioner Hopkins favored the proposed architecture and on-street parking, adding that the latter can be planned as a public amenity without time restrictions, and shared the concern over the retaining wall. In response to Commissioner Kaufman, Ms. Marsh noted that no bollards are proposed at the end of the public portion of the alley, adding that DPWPM&E would be responsible for its maintenance.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant SP-07-0002 - Camson Property, FINAL PLAN APPROVAL, finding it in compliance with Zoning Ordinance §§ 24-170 and 24-171, with the following conditions:

1. Applicant is to receive final approval of the photometric plan, including the light type and height, from the Department of Public Works, Park Maintenance, and Engineering prior to the issuance of any permits;
2. Applicant is to receive final approval of the final forest conservation plan from the Division of Environmental Affairs prior to the issuance of any permits;

Planning Commission
 SP-07-0002
 #2

3. Applicant shall keep trash/refuse out of public view until scheduled pickup; and
4. Planning Commission shall grant a four-space parking wavier for on-site parking.

Vote: 4-0

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to grant a WAIVER of four parking spaces for SP-07-0002.

Vote: 4-0

III. FROM THE COMMISSION

Vice-Chair Levy

Reported receiving appreciative comments from a resident of the former West Deer Park Apartments regarding the Planning Commission's role in the relocation and planning of the apartment complex redevelopment project.

IV. FROM STAFF

Community Planning Director Schwarz

Announced a joint work session on the indoor aquatic center project is scheduled for April 30. She noted the East Diamond Archstone project will be the subject of a City Council work session on April 23.

Planning and Code Administration Director Ossont

Introduced new Planning Director Lauren Pruss.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 9:30 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary

Vice-Chair Levy moved, seconded by Commissioner Winborne, to APPROVE the Consent Agenda.

Vote: 5-0

IV. RECOMMENDATION TO MAYOR AND CITY COUNCIL

MP-1-08 -- An amendment to the general plan for the City of Gaithersburg Master Plan revising the Land Use Element for Special Study Area Eight, The Kentlands Boulevard Commercial District

Planning Director Pruss noted the above-referenced plan is the result of work based on public input at three joint workshops, a citizen telephone survey, and a charrette, in addition to the joint public hearing with the City Council in March 2008. She commented on the plan's holistic vision for the redevelopment of the Kentlands Boulevard Commercial District, noting it differentiates between long and near-term goals and objectives, defines a new street network that gives importance to frontage design, and provides recommendations and guidelines for redevelopment on a block-by-block basis. She indicated the Commission's public hearing record closed on April 8, 2008, and listed staff's recommended revisions to the document that was presented at the public hearing, which were made for language clarification purposes only.

Chair Bauer congratulated all who contributed to the preparation of the plan, and, particularly, staff and the consultant, HOK Planning Group, for their work. He suggested recommending to the City Council, via a separate Communication from the Planning Commission (CPC), the formation of a committee to oversee how the near-term recommendations of the plan are implemented and take an active roll in guiding the implementation of immediate-term objectives.

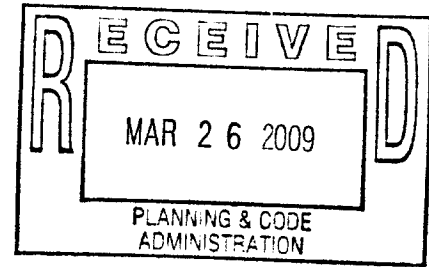
Planning and Code Administration Director Ossont noted that the Market Square Advisory Committee could work on developing implementation strategies, in addition to identifying its current and future roles. He added that as part of the latter, the committee could assist in the implementation of MP-1-08, citing, for instance, the way-finding of market issues for Main Street, crosswalks, and other near-term issues. In response to Chair Bauer, Mr. Ossont pointed out that the boundaries of the area of the Committee's oversight include Main Street, the live-work units, Kentlands Square Shopping Center, and Kentlands Place. Mr. Ossont also noted that a different name to better reflect the scope of the Committee is currently under consideration.

Chair Bauer proposed that staff e-mail to the Commission a draft CPC, reflecting the oversight recommendation discussed above for the Commission's approval, so that it can accompany the Commission's formal recommendation to the City Council regarding the Master Plan under consideration this evening. Commissioner Kaufman favored the suggestion, noting the importance of moving the process forward given the current economic conditions.

Commissioner Hopkins, although in support of the guiding language of the proposed master plan amendment, voiced some concern with the recommendation for wrapped garages in narrower blocks, pointing out the need for some flexibility to accommodate a deeper floor plan. He noted that wrapped garages might render unusable office space in some of the narrower blocks on the Market Square side of Kentlands Boulevard. Commissioner Winborne commented favorably on the language referring to fire and rescue.

Vice-Chair Levy moved, seconded by Commissioner Kaufman, to APPROVE Planning Commission Resolution PCR-2-08 recommending ADOPTION of MP-1-08 by the City Council.

Vote: 5-0



March 20, 2008

Gaithersburg Planning Commission
Gaithersburg City Hall
31 S. Summit Avenue
Gaithersburg, MD 20877
Attn: John Bauer, Chairman

Re: Camson Property
City Reference: SP-07-0002
MHG Project No. 2005.145.12

Mr. Bauer:

The referenced project was originally approved by the Planning Commission of the City of Gaithersburg at your meeting held on April 18, 2007. Contingency #3 of the Site Development Approval Letter requires that construction commence within three hundred and sixty five days of the date of Planning Commission approval. We received an extension of approval at your meeting held on April 16, 2008. I would like to request an additional extension of this site plan approval. We are currently working out easement issues with the City Attorney and continue to market the building to prospective tenants. We intend to proceed when the legal issues are resolved and we have a sufficient number of tenant commitments.

Please contact either myself or the project engineer, Paul Newman, at Macris, Hendricks & Glascock, P.A., if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Cameron". The signature is fluid and cursive, written over a horizontal line.

Brian Cameron

